

1 ROBERT A. VAN NEST - #84065, rvannest@kvn.com
2 JON B. STREETER - #101970, jstreeter@kvn.com
3 STUART L. GASNER - #164675, sgasner@kvn.com
4 DAVID J. SILBERT - #173128, dsilbert@kvn.com
5 KHARI J. TILLERY - #215669, ktillery@kvn.com
6 MATTHIAS A. KAMBER - #232147, mkamber@kvn.com
7 KEKER & VAN NEST, LLP
8 710 Sansome Street
9 San Francisco, CA 94111-1704
10 Telephone: (415) 391-5400
11 Facsimile: (415) 397-7188

12 Attorneys for Plaintiffs and Counterdefendants
13 FRESENIUS MEDICAL CARE HOLDINGS, INC.,
14 and FRESENIUS USA, INC.

15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA
17 OAKLAND DIVISION

18 FRESENIUS MEDICAL CARE HOLDINGS,
19 INC., a New York corporation; and
20 FRESENIUS USA, INC., a Massachusetts
21 corporation,

22 Plaintiffs and
23 Counterdefendants,

24 v.

25 BAXTER INTERNATIONAL, INC., a
26 Delaware corporation; and BAXTER
27 HEALTHCARE CORPORATION, a
28 Delaware corporation,

Defendants and
Counterclaimants.

Case No. C 03-01431 SBA (EDL)

**NOTICE OF
WITHDRAWAL OF COUNSEL BY
CONSENT OF CLIENTS**

FILED

SEP 21 2009

RICHARD W. WICKING
CLERK OF COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

1 Based on the mutual and unconditional consent of the undersigned parties, Keker & Van
2 Nest, LLP hereby withdraws its representation of plaintiffs and counterdefendants Fresenius
3 Medical Care Holding, Inc. and Fresenius USA, Inc. in the above-referenced litigation. Fish &
4 Richardson, P.C. will continue to represent Fresenius Medical Care Holdings, Inc. and Fresenius
5 USA, Inc. in the above-referenced litigation.

6 Respectfully submitted,

7 Dated: September 25, 2007.

KEKER & VAN NEST, LLP

9 By: /s/

10 KHARI J. TILLERY
11 Attorneys for Plaintiffs and
12 Counterdefendants
13 FRESENIUS MEDICAL CARE
HOLDINGS, INC., and FRESENIUS
USA, INC.

14 Dated: September 25, 2007.

FRESENIUS MEDICAL CARE
HOLDINGS, INC.

16 By: Jules Jay Morris 

17 Its: VP & Chief Intellectual Property Counsel

19 Dated: September 25, 2007.

FRESENIUS USA, INC.

22 By: Jules Jay Morris 

23 Its: : VP & Chief Intellectual Property Counsel

1 Dated: 10/9/07

FISH & RICHARDSON, P.C.

2
3
4 By: Mathias W. Samuel

MATHIAS W. SAMUEL
Attorneys for Plaintiffs and
Counterdefendants
FRESENIUS MEDICAL CARE
HOLDINGS, INC., and FRESENIUS
USA, INC.

5
6
7
8
9 IT IS SO ORDERED.

10 Dated: 9-21, 2007

11 By: Sandra Brown Armstrong

Honorable Sandra Brown Armstrong
United States District Judge